

SECOND DAY
(Wednesday, January 12, 1977)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Brackklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Truan.

A quorum was announced present.

The Reverend Samuel N. Baxter, Good Shepherd Episcopal Church, Austin, Texas, offered the invocation as follows:

We thank Thee, Lord, for the privilege of living and serving in this state. We bless Thee for the liberty, the opportunity, and the abundance we share. And above all we praise Thee for the traditions which have made our nation great. Teach us in our own day the meaning of citizenship, and help us to be faithful stewards of the responsibility which Thou hast entrusted to us.

O Lord our God, if ever we needed Thy wisdom and Thy guidance, it is now - as the Legislature begins a new session, standing upon the threshold of a new year, fraught with so many opportunities. We pray that Thou wilt bless these men and women, chosen by the people of this State, for Thou knowest them, their needs, their motives, their hopes and their fears. O Lord, give them strength and speak to them to give them wisdom greater than their own.

May they hear Thy voice, and seek Thy guidance. May they remember that Thou art concerned about what is said and done here, and may they have clear conscience before Thee, that they may fear no man. Bless each of us according to our deepest need, and use us for Thy glory. We ask all this for Thy Name's sake. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Truan was granted leave of absence for today on account of death in family on motion of Senator Longoria.

REPORT OF TEMPORARY COMMITTEE

Senator Adams submitted the following report for the Temporary Committee on Administration:

S.R. 30 (Ordered not printed)

MESSAGE FROM THE HOUSE

House Chamber
January 12, 1977

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 8, inviting the Governor of the State of Texas, His Excellency, Dolph Briscoe, to address the Regular Session of the 65th Legislature in Joint Session.

S.C.R. 9, granting either house permission to adjourn from Tuesday, January 18, to Monday, January 24, 1977.

Respectfully,
BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 136 by Traeger State Affairs
Relating to the Texas Employees Uniform Group Insurance Benefits Act; amending Chapter 79, Acts of the 64th Legislature, Regular Session, 1975 (Article 3.50-2, Texas Insurance Code), providing for the continued exclusion of employees and appointive officers of universities, senior or junior colleges, and other agencies of higher education from the Texas Employees Uniform Group Insurance Benefits Act; and declaring an emergency.

S.B. 137 by Traeger Intergovernmental Relations
Relating to the addition of certain areas to the Cibolo Creek Municipal Authority; amending Sections 4 and 5, Chapter 347, Acts of the 62nd Legislature, Regular Session, 1971 (Article 8280-487, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 138 by Traeger, Lombardino Administration
Relating to a system of fiscal notes for certain bills and joint resolutions affecting units of local government; and declaring an emergency.

S.B. 139 by Traeger Intergovernmental Relations
Relating to the election of directors of the Starr County Hospital District; amending Subsection (g), Section 4, Chapter 118, Acts of the 63rd Legislature, Regular Session, 1973; and declaring an emergency.

S.B. 140 by Santiesteban, Parker Education
To aid and enhance instruction in secular courses taught by nonpublic schools by providing for textbooks to be furnished without cost to pupils attending nonpublic schools; defining nonpublic schools; providing for accreditation, certifying, or approving nonpublic schools; providing for a manner of requisitioning, acquisition,

distributing, handling, and disposition of the textbooks; defining the title and custody of such textbooks; creating a Supplemental Textbook Fund; amending the Texas Education Code by: amending Subsection (a) of Section 12.01, adding Subsection (c) to Section 12.01, adding Subsection (g) to Section 12.02, amending Subsections (a) and (b) of Section 12.35 and adding Subsection (h), adding Subsection (j) to Section 12.61, amending Subsection (b) of Section 12.62, adding Subsection (g) to Section 12.63, and adding Subsection (g) to Section 12.65; amending Section 2, Article XX, Chapter 184, Acts of the 47th Legislature, Regular Session, 1941 (Article 7083a, Vernon's Texas Civil Statutes), by adding Subsection (4-aa).

S.B. 141 by Moore

Intergovernmental Relations

Relating to authority to close certain medical facilities owned by a county; amending Article 4478, Revised Civil Statutes of Texas, 1925, as amended.

S.B. 142 by Schwartz

Education

Relating to the establishment of guidelines for personnel administration for employees of public institutions of higher education; providing for authority, responsibility and duties of the Coordinating Board, Texas College and University System, and for the Governing Boards of institutions of higher education regarding employment policies and practices; repealing all laws in conflict and declaring an emergency.

S.B. 143 by Doggett

Jurisprudence

Relating to the choice of a managing conservator by a child; amending Subsection (a), Section 14.07, Family Code.

S.B. 144 by Adams

Economic Development

Relating to the regulation of public surveyors; providing penalties; amending Sections 2(b), 3, 5, 6, 7, and 8 of the Registered Public Surveyors Act of 1955, as amended (Article 5282a, Vernon's Texas Civil Statutes), and adding Section 6B.

S.B. 145 by Adams

Economic Development

Relating to the priority of the lien of workmen and materialmen for labor and materials used for improvement of real property; defining a "secured party"; relating to the rights and duties of a secured party and the priority of his lien; amending Articles 5452, 5453, 5454, 5459, and 5463, Revised Civil Statutes of Texas, 1925, as amended.

S.B. 146 by Mengden

Jurisprudence

Relating to the definition of "peace officer"; amending Article 2.12, Code of Criminal Procedure, 1965, as amended.

S.J.R. 14 by Mengden

State Affairs

Proposing an amendment to Article IV of the Texas Constitution, as amended, by adding Section 27 to limit the existence of certain state agencies.

S.C.R. 10 by Traeger

Administration

Inviting T. R. Fehrenbach to address Joint Session on Texas Independence Day, March 2, 1977.

SENATE RESOLUTION 32

Senator Adams offered the following resolution:

BE IT RESOLVED by the Senate of Texas, 65th Legislature, That the following procedures shall apply for use of a Local and Uncontested Calendar during the 65th Legislature.

Each Thursday morning at 8:30, unless notice is given 24 hours in advance, and at other times as the Senate may direct, the Senate shall meet in session to consider bills and resolutions on the Local and Uncontested Calendar.

The calendar shall be placed on the desks of members of the Senate no later than noon of the day preceding the session. A bill or resolution on the calendar may not be considered if any two or more members object.

The Local and Uncontested Calendar shall be prepared by the Committee on Administration from applications submitted by members of the Senate. The committee may not consider a bill or resolution for a place on the calendar unless (1) the bill or resolution, or a printed copy thereof, is presented to the committee and (2) a request for assignment to the calendar is made in writing by the chairman of the standing committee from which the bill or resolution was reported. The Administration Committee may establish a time after which applications for a place on the calendar may not be accepted.

The Committee on Administration may not place a bill or resolution on the Local and Uncontested Calendar if the bill or resolution (1) creates a new department or subdivision of a department, unless the bill or resolution is purely local in nature and the expenditure is not from state funds; (2) contains an appropriation; or (3) is contested.

The Rules of the Senate of Texas, 65th Legislature, are hereby suspended insofar as they are in conflict with the procedures provided in this resolution. No provision in this resolution may be suspended except by unanimous consent of the members of the Senate, a quorum being present. This resolution may be amended only by a written motion or resolution adopted by the record affirmative vote of two-thirds of the members of the Senate present.

The resolution was read and was adopted.

NOTICE RELATIVE TO LOCAL AND UNCONTESTED CALENDAR

January 12, 1977

Honorable William P. Hobby
President of the Senate

Sir:

Pursuant to **S.R. 32**, notice is hereby given that the Senate will not convene on January 13, 1977, at 8:30 a.m. for the purpose of considering bills and resolutions on the local and uncontested calendar.

Don Adams, Chairman
Temporary Committee on
Administration

SENATE RESOLUTION 31

Senator Schwartz offered the following resolution:

WHEREAS, One of the finest choral groups in the country is the widely acclaimed All Americans from Galveston, composed of employees of American National Financial Corporation companies and their spouses; and

WHEREAS, With their willingness to perform before any group and on any occasion, these outstanding choristers have brought musical enjoyment to innumerable listeners; and

WHEREAS, Along with giving numerous public concerts each year, at Christmas time they fill the halls of hospitals and busy shopping malls with joyous music; and

WHEREAS, Under the excellent leadership of Director Larry Patton, music instructor at Galveston College, the All Americans have developed an exceptionally varied repertoire—from Mozart and Mendelssohn to early American folk music and current popular songs; and

WHEREAS, On Wednesday, January 12, 1977, the All Americans are visiting Austin to perform a program of special selections in the Texas Senate and in the rotunda of the State Capitol; and

WHEREAS, The Senate of the State of Texas wishes to commend this eminent choral group and express our thanks for their performances for the Senate and visitors to the Capitol this day; now, therefore be it

RESOLVED by the Senate of the State of Texas that the All Americans be granted the official welcome and appreciation of the Senate and be commended on the great pleasure and pride they have brought to the citizens of this state; and be it further

RESOLVED, That our thanks be expressed to President Curtis Doering and each member of this fine group by the presentation of an official copy of this resolution commending Galveston's All Americans and their Director Larry Patton as an expression of highest esteem from the Senate of the State of Texas.

The resolution was read and was adopted.

PRESENTATION

All American Director Larry Patton presented the President a record album.

ESCORT COMMITTEE APPOINTED

In accordance with the provisions of S.C.R. 8 the President announced the appointment of the following to escort the Governor at the Joint Session: Senators Adams, Aikin, Creighton, Patman and Snelson.

MOTION TO RECESS

Senator Aikin moved at 10:26 o'clock a.m. that the Senate take recess until 2:00 o'clock p.m. today at the conclusion of the Joint Session.

JOINT SESSION

(To hear address of Governor Dolph Briscoe)

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 11:00 o'clock a.m. to hear the address of The Honorable Dolph Briscoe, Governor of Texas, pursuant to the provisions of **S.C.R. 8**.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The President, on invitation of the Speaker, occupied a seat on the Speaker's Rostrum.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Bill Clayton, Speaker of the House of Representatives, called the House to order, stated the purpose of the Joint Session and announced a quorum of the House present.

The Honorable Dolph Briscoe, Governor of the State of Texas, accompanied by Mrs. Briscoe, Mrs. Janey Briscoe Vaughn, Secretary of State Mark White and Members of the Governor's staff, was announced by the Doorkeeper of the House.

The Governor's party was escorted to the Speaker's Rostrum by Senators Aikin, Adams, Creighton, Snelson and Patman on the part of the Senate, and Representatives Nugent, T. Martin, Browder, McLeod and McBee on the part of the House.

The Speaker, The Honorable Bill Clayton, presented His Excellency, The Honorable Dolph Briscoe, Governor of Texas, to the Joint Session.

Governor Briscoe then addressed the Joint Session. (Complete text of speech printed in House Journal for January 12.)

The Speaker then presented Senator W. E. (Pete) Snelson who introduced Mrs. Diana Hobby, Mrs. Janey Briscoe, Mrs. Janey Briscoe Vaughn, and Members of the Governor's staff.

RECESS

In accordance with the motion previously made, the Senate at 11:45 o'clock a.m. took recess until 2:00 o'clock p.m. today.

AFTER RECESS

The Senate met at 2:00 o'clock p.m. and was called to order by the President.

RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S.C.R. 8

S.C.R. 9

SENATE RESOLUTION 30 ON SECOND READING

The President laid before the Senate the following resolution:

S.R. 30, Resolving that the Rules of the Senate of the 64th Legislature, as amended, be adopted as the permanent rules of the Senate of the 65th Legislature.

The resolution was read second time.

Senator Hance offered the following amendment to the resolution:

Amend the proposed Rules of the Senate as provided in Senate Resolution 30 by striking all of Subsection (g) of Senate Rule 94 and inserting the following:

(g) (1) Any bill or joint resolution which authorizes or requires the expenditure or diversion of any state funds for any purpose, except the general appropriations bill, shall have a fiscal note signed by the director of the Legislative Budget Board attached to the bill or resolution on first printing, outlining the fiscal implications and probable cost of the measure each year for the first five years after its passage and a statement as to whether or not there will be a cost involved thereafter. The fiscal note shall include the number of additional employees considered in arriving at the probable cost.

(2) Any bill or joint resolution that has statewide impact on units of local government of the same type or class and that authorizes or requires, presently or in the future, the expenditure or diversion of local funds, or that proposes any new local tax, fee, license charge, or penalty or any increased or decreased local tax, fee, license charge, or penalty, shall have a fiscal note signed by the director of the Legislative Budget Board attached to the bill or resolution on first printing, outlining the fiscal implications and probable cost of the measure to the affected unit or units of local government each year for the first five years after its passage and a statement as to whether or not there will be a cost involved thereafter.

(3) Any bill or joint resolution that has impact on any particular unit or units of local government and that mandates, presently or in the future, the expenditure or diversion of local funds, or that mandates any new local tax, fee, license charge, or penalty shall have attached a statement prepared by the author giving the author's best estimate of the fiscal implications and probable cost of the measure each year for five years after its passage and a statement as to whether or not there will be a cost involved thereafter before the bill or resolution can be heard in committee.

(4) In Subdivisions (2) and (3) of this subsection, "unit of local government" means county, city, town, school district, conservation district, hospital district, or any other political subdivision or special district.

(5) In preparing a fiscal note, the director of the Legislative Budget Board may utilize information or data supplied by any person, agency, organization, or governmental unit the director deems reliable, and if so may state the source or sources of the information or data used and the extent to which the director relied on the information or data in preparing the fiscal note. If the director determines that the fiscal implications of the bill or resolution cannot be ascertained or that the bill or resolution authorizes an unlimited expenditure or diversion of funds for any period to which the fiscal note applies, he shall so state in the fiscal note, in which case the fiscal note shall be in full compliance with this rule.

(6) It shall be the duty of the chairman of each standing committee, immediately after the bill or resolution has been referred to the standing committee,

to determine whether or not a fiscal note is required, and if so, to send a copy of the bill or resolution to the Legislative Budget Board for the preparation of the fiscal note. The chairman shall advise the Legislative Budget Board of the standing committee to which the bill or resolution has been referred and will request that the fiscal note be returned to the committee. The fiscal note shall be attached to the affected bill or resolution before a committee hearing can be conducted.

(7) In the event a bill or resolution is amended by the committee so as to alter its fiscal implications, either an updated fiscal note or statement prepared by the author, whichever is applicable, shall be obtained by the chairman and attached to the bill or resolution as a part of the committee report. All fiscal notes or author's statements, original and updated, shall remain with the bill or resolution throughout the entire legislative process, including submission to the governor.

HANCE
CLOWER
TRAEGER
LOMBARDINO

The amendment was read.

Senator Traeger offered the following amendment to the amendment:

Amend Amendment No. 1 by adding the following language on line 25, page 1, following the word "thereafter:" "This requirement shall not apply to any local or special bill affecting only one unit of government." and delete all of Section (g)(3), lines 1 through 10 on page 2, and renumber all subsequent sections accordingly.

The amendment to the amendment was read and was adopted.

Senator Doggett moved to table the amendment as amended.

The motion to table the amendment as amended was lost by the following vote:
Yeas 11, Nays 19.

Yeas: Brooks, Clower, Doggett, Jones of Harris, Kothmann, Longoria, Mauzy, Parker, Santiesteban, Schwartz, Williams.

Nays: Adams, Aikin, Andujar, Braecklein, Creighton, Farabee, Hance, Harris, Jones of Taylor, Lombardino, McKnight, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger.

Absent-excused: Truan.

The amendment as amended was then adopted.

RECORD OF VOTE

Senator Doggett asked to be recorded as voting "Nay" on the adoption of the amendment as amended.

Senator Creighton moved the Previous Question on Senate Resolution 30.

The motion was not duly seconded.

Senator Mauzy offered the following amendment to the resolution:

Amend Senate Resolution 30 by deleting Senate Rule 38 and substituting in lieu thereof the following:

“38. Hearings on nominations by the proper committee shall be open meetings. Consideration of nominees for confirmation by the Senate shall be in open session.”

MAUZY
SCHWARTZ

The amendment was read and failed of adoption by the following vote: Yeas 10, Nays 20.

Yeas: Braecklein, Clower, Doggett, Farabee, Jones of Harris, Longoria, Mauzy, Patman, Schwartz, Sherman.

Nays: Adams, Aikin, Andujar, Brooks, Creighton, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Snelson, Traeger, Williams.

Absent-excused: Truan.

Senator Mauzy offered the following amendment to the resolution:

Amend Senate Resolution 30 by deleting Senate Rule 92 and substituting in lieu thereof the following:

“92. Any bill, petition or resolution may be committed to any committee or subcommittee at any stage of the proceedings on such bill, petition or resolution by a majority vote of those Members of the Senate present and voting. Any bill, petition or resolution may be re-referred by a majority vote of those Members present and voting from one committee or subcommittee to another committee or subcommittee. A bill or joint resolution sent to a committee or subcommittee while on third reading shall be considered as on its second reading if reported favorably back to the Senate.

When several motions are made for reference of a subject to a committee or subcommittee, they shall have preference in the following order:

First: To a Committee of the Whole Senate

Second: To a Standing Committee

Third: To a Standing Subcommittee

Fourth: To a Select Committee”

The amendment was read and failed of adoption by the following vote: Yeas 3, Nays 27.

Yeas: Doggett, Mauzy, Patman.

Nays: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Absent-excused: Truan.

Senator Mauzy offered the following amendment to the resolution:

Amend Senate Resolution 30 by deleting Senate Rule 110 and substituting in lieu thereof the following:

"110. If a motion to report a bill or resolution favorably does not receive a majority vote of the members of the committee, the bill or resolution shall be dead. Likewise, if a motion to report a bill or resolution unfavorably receives a majority vote of the members of the committee, the same shall be dead. When a bill or resolution has been killed by a committee, a favorable minority report may be made, provided notice thereof is given by two members of the committee, if the committee is composed of 10 or less and 3 members if composed of more than 10, present at the time the bill is killed and who voted on the minority side; this report must be in writing, and signed by the members giving notice, and must be filed with the Senate within 2 calendar days from the time such action was taken by the committee (Sundays and days the Senate is not in session excepted). Unless one of the members signing the minority report or the sponsor of the bill makes a motion in the Senate to have the same substituted for the majority report within 10 calendar days (Sundays and days the Senate is not in session excepted) from the time said minority report was filed with the Senate, said bill or resolution shall be dead, and shall not be again considered during the session. It shall take the affirmative vote of a majority of the Members of the Senate present, but in no event less than 15 affirmative votes to substitute a minority report for the majority report, provided that any motion to substitute the minority for the majority report shall be privileged."

The amendment was read and failed of adoption by the following vote: Yeas 3, Nays 27.

Yeas: Doggett, Mauzy, Patman.

Nays: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Absent-excused: Truan.

Senator Mauzy offered the following amendment to the resolution:

Amend Senate Resolution 30 by adding to the end of Rule 12 the following:

"A motion to suspend the rules to consider a bill shall not be in order until at least five bills on the day's Senate calendar shall be considered and voted on."

The amendment was read and failed of adoption by the following vote: Yeas 4, Nays 26.

Yeas: Clower, Doggett, Mauzy, Patman.

Nays: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Absent-excused: Truan.

Senator Mauzy offered the following amendment to the resolution:

Amend Senate Resolution 30 by adding a subsection to Senate Rule 93 to read as follows:

"93.(b) The Members of the Senate shall elect the Chairman and membership of all standing Committees and Subcommittees.

(1) Prior to the first legislative day of each regular session of the Legislature, Members of the Senate shall caucus according to political party affiliation and elect a caucus chairman and secretary. Each caucus shall then:

(a) select its nominees for the Chairmanship of each standing Committee and Subcommittee;

(b) canvass its membership, on the basis of seniority, to determine the committee vacancies to which each member wishes to be nominated;

(c) and nominate membership for the various committees subject to election by the Senate, in accordance with limitations placed on committee membership by Rule 94, section (c).

(2) All standing Committees, standing Committee Chairman and standing Subcommittee Chairmen shall be elected by the Senate during the first three (3) days of the regular session.

(3) Seniority, as used within the context of these Rules, shall mean total time served as a member of the Senate, which service need not be consecutive. Except for the Chairman and Vice Chairman, members of a standing Committee or Subcommittee shall rank according to their seniority, and members with the same seniority shall draw numbers to determine the order of their ranking."

The amendment was read and failed of adoption by the following vote: Yeas 4, Nays 26.

Yeas: Harris, Mauzy, Mengden, Patman.

Nays: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Moore, Ogg, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Absent-excused: Truan.

Senator Mauzy offered the following amendment to the resolution:

Amend Senate Resolution 30 by deleting Senate Rule 51 and substituting in lieu thereof the following:

"51. Pending consideration of any question before the Senate any Senator may call for the previous question, and if seconded by five Senators, the Presiding Officer shall submit the question: 'Shall the main question be now put?' And if a majority vote is in favor of it, the main question shall be ordered, the effect of which shall be to cut off all further amendments, and bring the Senate to a direct vote, first upon pending amendments and motions, if there be any, then upon the main proposition, 24 hours later, regardless of other business which might be pending before the Senate at that time. The previous question may be ordered on any pending amendment or motion before the Senate as a separate proposition, and be decided by a vote upon said amendment or motion."

The amendment was read and failed of adoption by the following vote: Yeas 4, Nays 26.

Yeas: Aikin, Doggett, Farabee, Mauzy.

Nays: Adams, Andujar, Braecklein, Brooks, Clower, Creighton, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Absent-excused: Truan.

The resolution as amended was then adopted.

SENATE RESOLUTION 35

Senator Jones of Taylor offered the following resolution:

BE IT RESOLVED by the Senate of Texas, 65th Legislature, That the following procedures shall apply for use of an Intent Calendar during the 65th Legislature:

No bill may be considered on second or third reading unless written notice of intent to bring up the legislation is filed with the Secretary of the Senate during the last preceding calendar day that the Senate is in session. The Secretary of the Senate shall provide forms for this purpose. The notice must be given from day to day.

The Secretary of the Senate shall prepare a list of all bills on which notice has been given. The list must be made available to each member of the Senate and to the press no later than 6:30 p.m. of the calendar day prior to the day the bill is to be considered.

The Rules of the Senate of Texas, 65th Legislature, are hereby suspended insofar as they are in conflict with the procedures provided in this resolution. No provision in this resolution may be suspended except by unanimous consent of the members of the Senate, a quorum being present. This resolution may be amended only by a written motion or resolution adopted by the record affirmative vote of two-thirds of the members of the Senate present.

The resolution was read and was adopted.

SENATE RESOLUTION 36

Senator Ogg offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, That the President of the Senate be authorized to appoint for the 65th Legislature a Subcommittee on Consumer Affairs and a Subcommittee on Public Health and Welfare, each to be composed of five members selected from the members of the standing Committee on Human Resources; and, be it further

RESOLVED, That the President of the Senate be authorized to appoint for the 65th Legislature a Subcommittee on Elections to be composed of five members selected from among the members of the standing Committee on State Affairs.

OGG
CLOWER

The resolution was read and was adopted.

RECORD OF VOTES

Senators Harris, Creighton, Mengden, Jones of Taylor, Hance, Traeger and McKnight asked to be recorded as voting "Nay" on the adoption of the resolution.

APPOINTMENT OF STANDING COMMITTEES

The President announced the appointment of the following as standing Committees of the Senate of the Sixty-fifth Legislature:

FINANCE: Aikin, Chairman; Adams, Vice Chairman; Brooks, Creighton, Farabee, Hance, Meier, Moore, Santiesteban, Schwartz, Sherman, Snelson, Traeger.

ADMINISTRATION: Adams, Chairman; Jones of Harris, Vice Chairman; Lombardino, Longoria, Mauzy, Schwartz, Traeger.

SUB-COMMITTEE ON RULES: Traeger, Chairman; Longoria, Vice Chairman; Adams, Lombardino, Schwartz.

JURISPRUDENCE: Schwartz, Chairman; Meier, Vice Chairman; Adams, Braecklein, Doggett, Farabee, Jones of Harris, Longoria, Mauzy, Mengden, Parker, Santiesteban, Sherman.

SUB-COMMITTEE ON CIVIL MATTERS: Braecklein, Chairman; Farabee, Vice Chairman; Jones of Harris, Longoria, Sherman.

SUB-COMMITTEE ON CRIMINAL MATTERS: Santiesteban, Chairman; Mengden, Vice Chairman; Doggett, Mauzy, Meier.

HUMAN RESOURCES: Brooks, Chairman; Braecklein, Vice Chairman; Andujar, Clower, Doggett, Harris, Jones of Harris, Lombardino, Meier, Patman, Truan.

SUB-COMMITTEE ON CONSUMER AFFAIRS: Clower, Chairman; Doggett, Vice Chairman; Andujar, Meier, Patman.

SUB-COMMITTEE ON PUBLIC HEALTH: Harris, Chairman; Lombardino, Vice Chairman; Braecklein, Jones of Harris, Truan.

EDUCATION: Mauzy, Chairman; Patman, Vice Chairman; Aikin, Harris, Jones of Taylor, Ogg, Santiesteban, Snelson, Williams.

INTERGOVERNMENTAL RELATIONS: Snelson, Chairman; Parker, Vice Chairman; Andujar, Clower, Kothmann, Lombardino, Mengden, Ogg, Williams.

ECONOMIC DEVELOPMENT: Creighton, Chairman; Jones of Taylor, Vice Chairman; Harris, Moore, McKnight, Parker, Truan.

STATE AFFAIRS: Moore, Chairman; Kothmann, Vice Chairman; Aikin, Andujar, Braecklein, Brooks, Clower, Doggett, Hance, McKnight, Longoria, Ogg, Traeger.

SUB-COMMITTEE ON NOMINATIONS: McKnight, Chairman; Andujar, Vice Chairman; Braecklein, Hance, Kothmann, Longoria, Ogg.

SUB-COMMITTEE ON ELECTIONS: Ogg, Chairman; Traeger, Vice Chairman; Doggett, McKnight, Moore.

NATURAL RESOURCES: Sherman, Chairman; Williams, Vice Chairman; Creighton, Farabee, Hance, Jones of Taylor, Kothmann, McKnight, Mengden, Patman, Truan.

SUB-COMMITTEE ON WATER: Hance, Chairman; Jones of Taylor, Vice Chairman; Creighton.

SUB-COMMITTEE ON ENERGY: McKnight, Chairman; Mengden, Vice Chairman; Farabee.

SUB-COMMITTEE ON AGRICULTURE: Patman, Chairman; Truan, Vice Chairman; Sherman.

MEMORIAL RESOLUTIONS

S.R. 33 - By Adams: Memorial resolution for John F. Parnell.

S.R. 34 - By Adams: Memorial resolution for Tucker K. Royall.

ADJOURNMENT

On motion of Senator Aikin the Senate at 3:28 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

(January 12, 1977)

S.C.R. 8

S.C.R. 9

THIRD DAY

(Thursday, January 13, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Braecklein, Brooks, Clower, Doggett, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Mauzy, McKnight, Meier, Mengden, Parker, Patman, Sherman, Traeger, Williams.